

**FLATHEAD COUNTY PLANNING BOARD  
MINUTES OF THE MEETING  
SEPTEMBER 13, 2006**

**CALL TO ORDER** A meeting of the Flathead County Planning Board was called to order at approximately 6:00 p.m. Board members present were Charles Lapp, Randy Toavs, Gordon Cross, Gene Dziza Kim Fleming, and Jeff Larsen. Frank DeKort, Don Hines, and Kathy Robertson had excused absences. Eric Giles, Kirsten Holland, and Jeff Harris represented the Flathead County Planning & Zoning Office.

There were approximately 14 people in the audience.

**PUBLIC REVIEW** Jeff Larsen reviewed the public hearing process.

**APPROVAL OF MINUTES** Lapp made a motion seconded by Cross to approve the August 9, 2006 meeting minutes.

The motion was carried by quorum.

**PUBLIC COMMENT**  
*(not related to agenda items)* None.

**PRELIMINARY PLAT/ MOOSE SUBDIVISION FPP 06-36** FPP 06-36: A request by Treweek Family Partnership, LP for Preliminary Plat approval of Moose Subdivision, a nineteen (19) lot commercial subdivision on 16.42 acres. Lots in the subdivision are proposed to have public water and sewer systems. The property is located at 2138 U.S. Highway 2.

Larsen stepped down for this project; Dziza presided.

**STAFF REPORT** Eric Giles reviewed Staff Report FPP 06-36 for the Board.

**BOARD QUESTIONS** Fleming asked about the coffee stand access.

Eric said the access had been discussed.

Fleming wondered if Staff had ever sent a letter to the State voicing what they thought of a proposed approach.

Harris said we do not because it would be an opinion.

Toavs asked Giles about the road easements.

Giles pointed the easements out on the map.

**APPLICANT**

Fred Ricketts, 141 Liahona Lane, said this will be a more affordable commercial business area. He mentioned the name would be changed to Evergreen Business Park later on in the process. He talked about the addition it will give to Evergreen and how it would set a theme.

Cross asked what Ricketts meant by a “theme”.

Ricketts said it meant they did not plan to leave it the way it is. They plan to modernize the building and give Evergreen a new “look”.

**AGENCIES**

None.

**PUBLIC  
COMMENT**

Bob Stewart, 131 Sleepy Hollow, is mostly concerned about the traffic. He said a lot of people use this road plus a bike path in this area. The road is very fragile and not very wide. He said he does not see how the road would handle more use.

Jan Stewart, 131 Sleepy Hollow, is very concerned what it is going to be like next door. She said there are too many businesses in Evergreen. The businesses come and go and leave empty buildings. Transients sleep around these empty building lots. She is concerned it may look like industrial flat land instead of a nice neighborhood. Her biggest concern was the traffic increase and the safety of the children that would be going back and forth to school through this planned development.

Darla Harmon, 32 Willow Drive, President of Evergreen Community Partners. She was concerned about the safety of the children. She said she liked the idea of sidewalks and is in favor of the subdivision. She talked about the field in the neighborhood and how it is a hazard right now with transients living in there and kids jumping their bikes in it. She said she sees the development proposed as a safety improvement. She said there should be something done about a turn lane for safety reasons. The speed limit along Lasalle is 45 and is hard to turn off in certain areas. Another concern of hers was the easement as she was told it goes through someone’s property.

**APPLICANT  
REBUTTAL**

Ricketts said he would have to check on the easement situation when he has the right map.

**STAFF  
REBUTTAL**

Giles said the applicant must file for an approach permit to get access with the use of Sleepy Hollow Road.

Tim Burton asked about the easement that was said to run through someone’s property.

Burton and Harmon discussed the easement using the map.

Dziza said the Board needed to go on with the meeting.

**MAIN MOTION**

Fleming made a motion seconded by Cross to adopt Staff Report FPP 06-36 as findings of fact and recommended approval to the Board of County Commissioners.

**BOARD  
DISCUSSION**

Fleming asked if the Staff could write a letter to Montana Department of Transportation.

Harris said Staff could write a letter, but it would not be a condition.

Dziza asked if everyone agreed to the request made by Fleming.

There were no disagreements.

Fleming said it would be a great improvement if children could use a sidewalk and crosswalk instead of trespassing on property.

Lapp talked about condition #4.

Cross said he still had a concern about the kids in the area.

Toavs asked about the bike path easement location.

Dziza said there are kids all over LaSalle all day long and hopes this would help alleviate part of that problem.

Fleming talked about signs being placed for people to be alerted about children crossing the streets.

Harris told her Staff could include that in one of the conditions.

Cross asked Staff if there was a name for that particular sign.

Holland said Staff has made signs up before. She said they would have to check with MDOT and get approval.

Harris said it would probably be "Caution, Children Crossing" or "School Crossing".

Lapp talked about conditions #3 and #4. He said condition #3 could be reworded regarding the cross walks.

Giles asked if language could be added to condition #8.

Dziza asked Giles what he would recommend.

Giles said "The applicant shall submit a landscaping plan at least 6 months prior to Final Plat showing all bicycle, pedestrian, easements and paths, types and locations of trees and shrubs and plant trees along US Highway 2. The plan shall be implemented prior to Final Plat."

**BOARD  
DISCUSSION  
(continued)**

Dziza asked about the locations of landscaping.

Giles replied.

Harris said it would be presumed the development would be landscaped if they were to ask for a landscaping plan.

Dziza, Harris, and Giles discussed the landscaping plan further.

Dziza said he would like to get a response from the applicants.

The applicant asked if it was the crosswalks they were asking about.

Dziza said it was the landscaping they wanted to hear about. He told Staff it would be better if these subjects were brought up ahead of time.

Tim Burton, 2239 Lower Valley Road, addressed the Board and said he felt a 6 month requirement could be a condition for Final Plat. He said this is a very small subdivision and the amount of work there does not add up to too terribly much. He said if they are going to require a landscaping plan, 30 days would be more appropriate to put it together.

Giles said Staff wanted Burton to submit a plan and implement it within 6 months prior to Final Plat.

Burton said landscaping should not be going on during construction.

Giles told Burton he could bond for the implementation of the landscaping plan.

Giles and Burton continued to discuss the landscaping plan.

**MOTION  
(Condition #3)**

Cross made a motion seconded by Fleming to amend #3.

**ROLL CALL  
(Condition #3)**

On a roll call vote the motion was approved.

**BOARD  
DISCUSSION**

Lapp asked Giles to specifically say what he wanted on the landscaping plan.

Giles said "The applicant shall submit a landscaping plan at least 6 months prior to final plat showing all bicycle, pedestrian, easements and paths, types and locations of trees and shrubs, and the plan shall be implemented prior to Final Plat."

Holland said the reason is to make sure the plan is implemented.

Fleming said it is not necessary to implement since a condition would be good enough.

Harris said it would be treated as any other infrastructure.

**MOTION**  
**(landscaping plan)**

Fleming said she would move to add the words “at least 6 months prior to final plat after landscaping.” Cross seconded the motion.

**BOARD**  
**DISCUSSION**

Dziza asked if there was further discussion.

Lapp said he still did not understand what the 6 months deal is with the landscaping plan.

Fleming explained what her thought was regarding the 6 months and said she thought it did not have to be six months, just long enough for Staff to go over it.

Cross said the applicant could do as little landscaping as they want with the way it reads. Cross asked Staff where they were trying to go with the plan.

Giles said the applicant is to submit a plan and implement that plan.

Holland said they are just trying to make it so we don’t end up with one measly Charlie Brown Christmas Tree.

Cross said the way it was written the applicant can do anything.

Dziza said Staff needs to work on this.

Holland said that was what they were trying to do.

Dziza said he was referring to future applications.

Lapp said if it is the applicants landscaping plan, then that is the landscaping plan. He said if it was a plan based on subdivision regulations it would be different. He commented Staff does not have that as part of the conditions.

Holland said she had nothing and it was not supposed to be a big deal. She said it was something they were trying to do to improve upon their work and certainly would not want to miss an opportunity to improve. She said Staff will take it back to the planning office and come up with a better condition next time.

**ROLL CALL**  
**(landscaping plan)**

On a roll call vote the motion was denied with Cross and Fleming dissenting.

**MAIN MOTION**  
**ROLL CALL**

On a roll call vote the motion passed unanimously.

**PRELIMINARY  
PLAT/  
CHERRY HILL  
YACHT CLUB,  
PHASE II  
FPP 06-48**

FPP 06-48: A request by Dan Hogan for Preliminary Plat approval of Cherry Hill Yacht Club, Phase II, a fourteen (14) condominium unit subdivision on 6.705 acres. Lots in the subdivision are proposed to have public water and sewer systems. The property is located at 6675 U.S. Highway 93 within the Cherry Hill Zoning District.

**STAFF REPORT**

Kirsten Holland reviewed Staff Report FPP 06-48 for the Board.

**BOARD  
QUESTIONS**

None.

**APPLICANT**

Bob Erickson, Fox Hill Drive, said this development would use the existing water system on Cherry Hill. He talked about the storm drainage. He said Hogan was alright with the easement.

**AGENCIES**

None.

**PUBLIC  
COMMENT**

None.

**STAFF  
REBUTTAL**

None.

**APPLICANT  
REBUTTAL**

Holland said Hogan submitted a letter from Lakeside Water & Sewer with his application.

**MAIN MOTION**

Fleming made a motion seconded by Dziza to adopt Staff Report FPP 06-48 as findings of fact and recommended approval to the Board of County Commissioners.

**BOARD  
DISCUSSION**

Fleming wanted to amend condition #6, seconded by Toavs.

Holland said she had actually made some of those changes for herself and did not want to confuse everyone with a new report.

The motion was carried by quorum.

Cross asked about the letter from the Lakeside Sewer & Water District and asked Erickson if the letter was filed.

Erickson said the letter should have been filed.

Cross and Erickson discussed the letter further.

Holland said the condition could be amended to reflect what was needed for the letter.

The Board continued to discuss the letter.

<b>MAIN MOTION ROLL CALL</b>	On a roll call vote the motion passed unanimously.
<b>PRELIMINARY PLAT/ DANCING CRANE PONDS #2 FPP 06-42</b>	FPP 06-42: A request by Pablo and Veronica Andreani for Preliminary Plat approval of Dancing Crane Ponds #2, a three (3) lot single-family residential subdivision on 37.65 acres. Lots in the subdivision are proposed to have individual water and septic systems. The property is located at 2015 West Valley Drive, in the West Valley Zoning District.
<b>STAFF REPORT</b>	Kirsten Holland reviewed Staff Report FPP 06-42 for the Board.
<b>BOARD QUESTIONS</b>	Cross wanted open space defined.  Holland explained.  Cross asked about barns and outbuildings being permitted.  Holland said they have not had a problem with open space buildings.
<b>APPLICANT</b>	Dawn Marquardt, of Marquardt and Marquardt Surveying, said she had no problems with any of the conditions. She did not have anything to add.
<b>AGENCIES</b>	None
<b>PUBLIC COMMENT</b>	None
<b>STAFF REBUTTAL</b>	None.
<b>BOARD DISCUSSION</b>	Larsen asked Holland if any comments were received by adjoining neighbors.  Holland said no comments were received.
<b>APPLICANT REBUTTAL</b>	None.
<b>MAIN MOTION</b>	Cross made a motion seconded by Dziza to adopt Staff Report FPP 06-42 as findings of fact and recommended approval passed unanimously to the Board of County Commissioners.
<b>BOARD DISCUSSION</b>	None.
<b>MAIN MOTION ROLL CALL</b>	On a roll call vote the motion passed unanimously.

<b>PRELIMINARY PLAT/ ORPHAN ANNER FPP 06-43</b>	FPP 06-43: A request by Roger W. and Marilyn R. Williams for Preliminary Plat approval of Orphan Anner, a two (2) lot single-family residential subdivision on 5.15 acres. Lots in the subdivision are proposed to have individual water and septic systems. The property is located at 3059 Trumble Creek Road.
<b>STAFF REPORT</b>	Kirsten Holland reviewed Staff Report FPP 06-43 for the Board.
<b>BOARD QUESTIONS</b>	None.
<b>APPLICANT</b>	Joe Kauffman of Big Sky Surveying had nothing further to add.
<b>AGENCIES</b>	None.
<b>PUBLIC COMMENT</b>	Marilyn Williams, 3059 Trumble Creek Road, said she was in favor of this subdivision. She talked about her orphan cat she has had for ten years and decided to name this subdivision in honor of her.
<b>STAFF REBUTTAL</b>	None.
<b>APPLICANT REBUTTAL</b>	None.
<b>MAIN MOTION</b>	Dziza made a motion seconded by Fleming to adopt Staff Report FPP 06-43 as findings of fact and recommended approval to the Board of County Commissioners.
<b>BOARD DISCUSSION</b>	Cross amended condition #9, seconded by Toavs.  Lapp talked about the commenting being more consistent.  The motion was carried by quorum.
<b>MAIN MOTION ROLL CALL</b>	On a roll call vote the motion passed unanimously.
<b>OLD BUSINESS</b>	Harris said the County Commissioners have returned Haskill Mountain Ranch subdivision to the Planning Board for them to put together their reasons for denial. He said Staff will put together Findings of Fact to be discussed at the meeting on September 27, 2006.  Larsen passed out a letter received from Ken Kalvig regarding Haskill Mountain Ranch.
<b>NEW BUSINESS</b>	Harris discussed future meeting agendas.  The Board and Harris discussed growth policy meetings and progress.



**ADJOURNMENT**     The meeting was adjourned at approximately 8:00 p.m. on a motion by Cross seconded by Dziza. The next meeting will be held at 6:00 p.m. on September 20, 2006.

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Jeff Larsen, President

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Arica Ahart, Recording Secretary

APPROVED AS SUBMITTED/CORRECTED: 11/11/06